

IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE
W/S Transoms Road, 305 ft. +/-
N of c/l Ebenezer Road
9008 Transoms Road
11th Election District
5th Councilmanic District
Richard H. Ciamarra, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 96-505-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Richard H. Ciamarra and Maureen E. Ciamarra, for that property known as 9008 Transoms Road in the North Gate Hall subdivision of Baltimore County. The Petitioners/property owners herein seek a variance from Section 1B02.3.B (1B01.2.C.4, Bill 100, 1970) of the Baltimore County Zoning Regulations (BCZR) to permit an addition with a rear yard setback of 15 ft. in lieu of the minimum required 30 ft.; and an amendment to the 2nd Amended Final Development Plan of North Gate Hall, Lot #5. The property and relief sought are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of

ORDER RECEIVED FOR FILING

Date

By

7/1/96
M. D. Davis

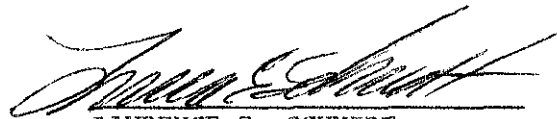
MICROFILMED

Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 18th day of July, 1996 that the Petition for a Zoning Variance from Section 1B02.3.B (1B01.2.C.4, Bill 100, 1970) of the Baltimore County Zoning Regulations (BCZR) to permit an addition with a rear yard setback of 15 ft., in lieu of the minimum required 30 ft.; and an amendment to the 2nd Amended Final Development Plan of North Gate Hall, Lot #5, be and is hereby GRANTED, subject, however, to the following restriction:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmm

ORDER RECEIVED FOR FILING
Date 7/18/96
By M. G. Gosh

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

July 18, 1996

Mr. and Mrs. Richard H. Ciamarra
9008 Transoms Road
Baltimore, Maryland 21236

RE: Petition for Administrative Variance
Case No. 96-505-A
Property: 9008 Transoms Road

Dear Mr. and Mrs. Ciamarra:

Enclosed please find the decision rendered in the above captioned case. The Petition for an Administrative Variance has been granted, with restriction, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
encl.

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Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 9008 TRANSOMS RD
address
BALTIMORE MD 21236
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

REAR PROPERTY SET BACK SHORTAGE
PROVIDE AN ALL ONE LEVEL LIVING SPACE FOR A
HANDICAP ELDERLY MOTHER WITH NUMEROUS MEDICAL
PROBLEMS.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Richard H. Ciarrarra
(signature)
RICHARD H. CIARRARRA
(type or print name)



Maureen E. Ciarrarra
(signature)
MAUREEN E. CIARRARRA
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 14TH day of JUNE, 1996, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

RICHARD H. CIARRARRA & MAUREEN E. CIARRARRA

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

6/14/96
date

Tina K. Kipwell
NOTARY PUBLIC

My Commission Expires: 9/1/97

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Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at

9008 TRANSOMS RD

which is presently zoned

DR 5.5

96-505-A

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

BCZR 1B02.3.B (1B01.2.C.4 B111 100, 1970)

To permit an addition with a rear yard setback of 15' in lieu of the minimum required 30'. And an amendment to the 2nd Amended FDP of North Gate Hall, Lot #5.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

REAR PROPERTY SET BACK SHORTAGE
PROVIDE AN ALL ONE LEVEL LIVING SPACE FOR A HANDICAP
ELDERLY MOTHER WITH NUMEROUS MEDICAL PROBLEMS.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

Legal Owner(s):

RICHARD H. CIAMARRA
(Type or Print Name)

Richard H. Ciamarra
Signature

MAUREEN E. CIAMARRA
(Type or Print Name)

Maureen E. Ciamarra
Signature

9008 TRANSOMS RD 410 529-9008
Address Phone No.

BALTIMORE MD 21236
City State Zipcode

Name, Address and phone number of representative to be contacted.

Name

Address

Phone No.

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County

REVIEWED BY:

DATE:

6-21-96

ESTIMATED POSTING DATE:

6-30-96

Printed with Soybean Ink
on Recycled Paper

ITEM #: 506

96-505-A

ZONING DESCRIPTION FOR 9008 Transoms Road, Baltimore, MD 21236

Beginning at a point on the west side of Transoms Road which is 65' wide at the distance of 305' +/- north of the centerline of the nearest improved intersecting street Ebenezer Road which is 50' wide. Being Lot # 5, Block H, Section # in the subdivision of North Gate Hall as recorded in Baltimore County Plat Book # 38, Folio # ¹⁴³931, containing 6500 sq. feet. Also known as 9008 Transoms Road and located in the 11th Election District, 5th Councilmanic District.

#506

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CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

96-505-A

District: 114

Valencia

Posted for:

Richard & Mauricia Ciarama

Petitioner:

9008 Transoms Rd

Location of property:

Location of Signer: Being worked on property being torn

Remarks:

Posted by:

W. J. Kelly
Signature

Date of return:

7/5/96

Number of Signs:

MICROFILMED

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCIAL REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 22001

DATE 6-21-94 ACCOUNT R-001-61E 000

AMOUNT \$ 135.00

RECEIVED FROM: CIAMARBA
010-- Variance 50 Item # 506
030-- Amendment 50 Taken By. JPT
050-- Sign 35

FOR: YES

MICROFILMED 03491#031MICRHC \$135.00
BY 031055AM05-01-94

DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER
VALIDATION OR SIGNATURE OF CASHIER



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 506 Petitioner: RICHARD & MAUREEN C'AMARRA

Location: 9008 TRANSOMS RD BALTIMORE, MD 21236

PLEASE FORWARD ADVERTISING BILL TO:

NAME: RICHARD & MAUREEN C'AMARRA

ADDRESS: 9008 TRANSOMS RD

BALTIMORE, MD 21236

PHONE NUMBER: 410 529-9008

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Printed with Soybean Ink
on Recycled Paper





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

June 27, 1996

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 96-505-A (Item 506)
9008 Transoms Road
W/S Transoms Road, 305' +/- N of c/l Ebenezer Road
11th Election District - 5th Councilmanic
Legal Owner(s): Richard H. Ciamarra and Maureen E. Ciamarra

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before June 30, 1996. The closing date (July 15, 1996) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Director

cc: Richard and Maureen Ciamarra

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Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

July 10, 1996

Richard and Maureen Ciamarra
9008 Transoms Road
Baltimore, MD 21236

RE: Item No.: 506
Case No.: 96-505-A
Petitioner: Richard Ciamarra, et ux

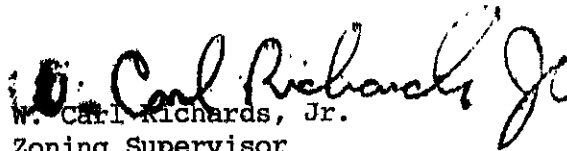
Dear Mr. and Mrs. Ciamarra:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on June 21, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,


W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

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Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 07/03/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF JULY 01, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 500, 502, 503, 504, 505, 506,
507 AND 508.

1996

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



Printed with Soybean Ink
on Recycled Paper

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B A L T I M O R E C O U N T Y, M A R Y L A N D

I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director
 Department of Permits & Development
 Management

Date: July 5, 1996

FROM: *RWB* Robert W. Bowling, Chief
 Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
 For July 8, 1996
 Item Nos. 502, 504, 506, 507 & 508

 The Development Plans Review Division has reviewed the subject
zoning item, and we have no comments.

RWB:HJO:jrb

cc: file

ZONE16

Handwritten signature/initials

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM
FROM: R. Bruce Seeley
Permits and Development Review
DEPRM
SUBJECT: Zoning Advisory Committee
Meeting Date: JULY 1, 1996

DATE: 7-1-96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 501

502

504

506

507

508

Bruce Seeley

RBS:sp

BRUCE2/DEPRM/TXTSBP

MICROFILMED

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: June 27, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item No. Item Nos. 491, 500, 502, 503, 504, 505, 506, 507, and 508

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

Jeffrey W. Long

Division Chief:

Carol L. Kerns

PK/JL



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

6-28-96

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 506 (JRF)

Dear Ms. Watson:

This office has reviewed the referenced plan and we have no objection to approval as the development does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions. Thank you for the opportunity to review this plan.

Very truly yours,

for *Bob Small*
Ronald Burns, Chief
Engineering Access Permits
Division

BS

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717

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To Whom It May Concern:

We MRS JAMES GERWINSKI who reside directly behind the Ciamarra's on Kilbride Road have no objection to Rick and Maureen Ciamarra building an addition onto the rear of their home.

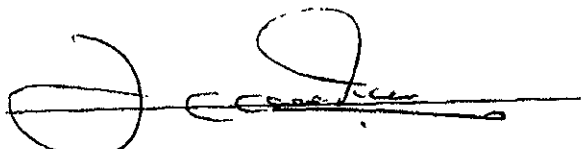
James M. Gerwinski Sr.

#506

RECEIVED

To Whom It May Concern:

We Mr & Mrs Jacob who reside next door to the Ciamarras's at
9006 Transoms Road have no objection to Rick and Maureen Ciamarra building an
addition onto the rear of their home.


Innaletty Jacob

506

MICROFILMED

To Whom It May Concern:

We The Waurin's who reside next door to the Ciamarras's at 9010 Transoms Road have no objection to Rick and Maureen Ciamarra building an addition onto the rear of their home.

Kenneth P Daurin

506

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Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

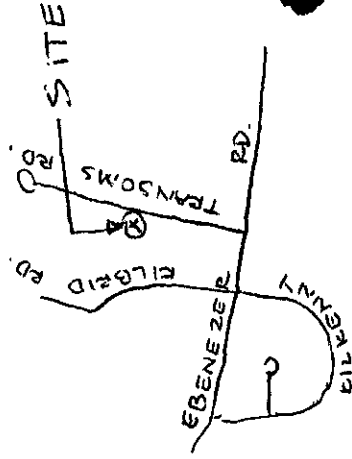
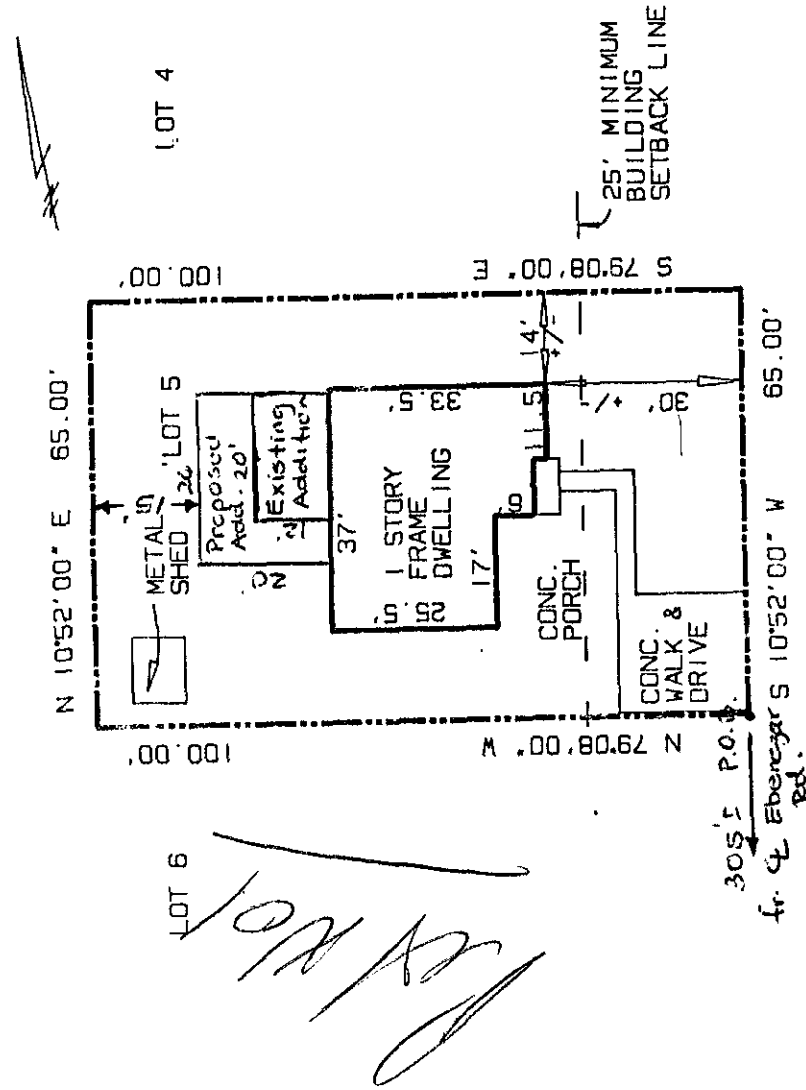
see pages 5 & 6 of the CHECKLIST for additional required information

PROPERTY ADDRESS: 2008 TRANSOMS ROAD

Subdivision name: NORTH GATE HALL 96-505-A

plat book # 38, folio # 143, lot # 5, section # 1

OWNER: Richard H. Lamm Maureen E. Lamm



LOCATION INFORMATION

Election District: 11 H

Councilmanic District: 5 H

1"=200' scale map #: NE-9M

Zoning: DE 5.5

Lot size: 6,500 square feet

Chesapeake Bay Critical Area: ☒ public ☐ private

SEWER: ☒ public ☐ private

WATER: ☒ public ☐ private

Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: JP ITEM #: 506 CASE #:

Scale of Drawing: 1"= 30'

R.C.

North

date: 6/21/96

prepared by:

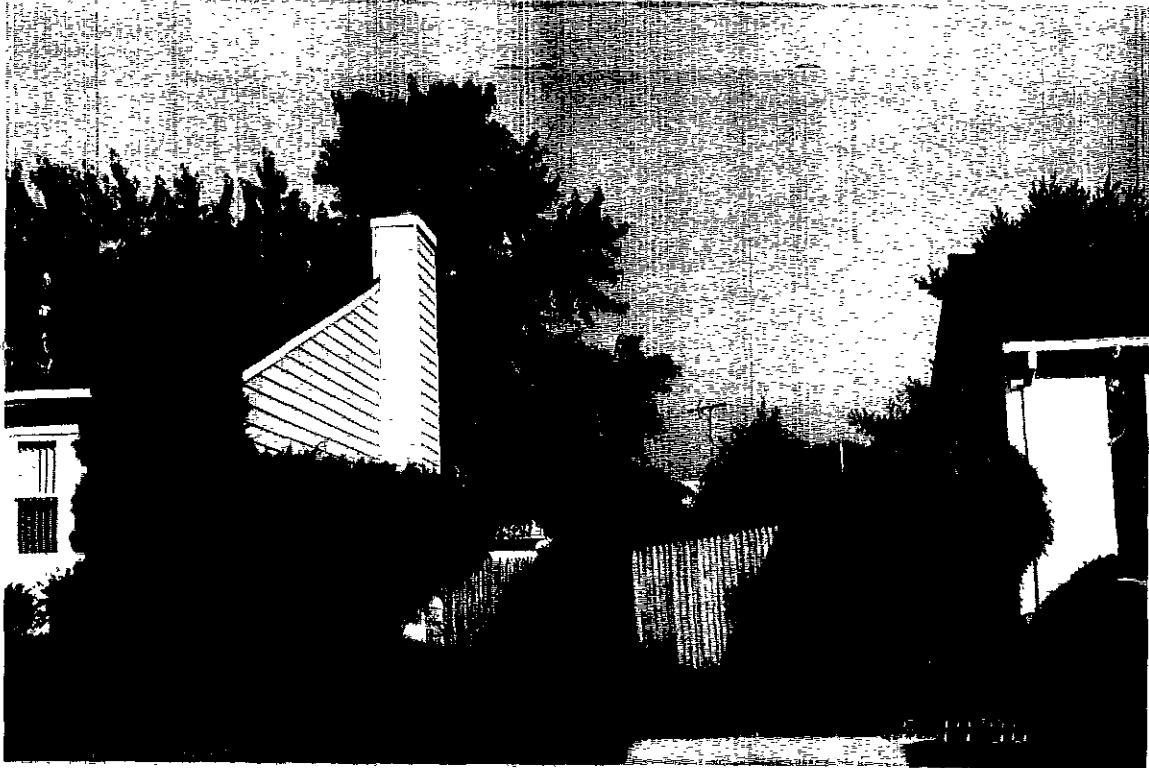
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PETITIONER(S) EXHIBIT ()

REAR VIEW OF EXISTING ADDITION AND
PROPOSED LOCATION OF NEW ADDITION

506
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PETITIONER(S) EXHIBIT ()



RIGHT SIDE AND LEFT SIDE VIEW OF OUR HOME

506

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PETITIONER(S) EXHIBIT ()

FRONT VIEW OF OUR HOME

506

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